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Exploring Advocacy Coalitions involved in California's Sugar-Sweetened Beverage Tax Debate

A Thesis submitted in partial satisfaction of the requirements for the degree of Master of Science

in

Public Health

by

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2021

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Abstract

Exploring Advocacy Coalitions involved in California's Sugar-Sweetened Beverage Tax Debate

A thesis submitted by Kesia Karina Garibay in partial satisfaction of the requirements for the degree of Master of Science in Public Health (MSPH) at University of California, Merced in 2021. Committee chair: Dr. Denise D. Payán

Since 1982, California has attempted to pass a tax on sugar-sweetened beverages (SSB). To date, none have been successful. This study describes the advocacy groups and the strategies and policy arguments used by stakeholders to support or oppose statewide SSB tax legislation in California. The article uses the Advocacy Coalition Framework (ACF) to identify coalition groups and their members as well as examine the strategies and arguments used in California's statewide SSB tax policy debates between 1999 and 2018. We use a mixed methods analysis with a predominantly qualitative approach to identify stakeholders involved in the SSB tax policymaking process and explore their policy arguments and advocacy strategies to advance their policy positions. Data consist of 11 California legislative bills (94 documents) and 138 newspaper articles. SSB tax policy debate did receive media attention. We identified two advocacy coalitions involved in the debate: a public health coalition and an industry coalition. The public health coalition focused on arguments about the health consequences and financial benefits of SSB taxes. The industry coalition responded with arguments that focused on how SSB taxes would harm the economy. Both coalitions used various strategies to advance desired outcomes. The public health coalition used advocacy strategies such as media and research evidence. The industry coalition used advocacy strategies such as preemption, alliances, and financial resources. Although SSB taxation has faced substantial challenges at the state level in California, advocacy coalitions can gain insight from policymaker's experiences involved in previous legislation to inform future efforts to pass obesity prevention-related policies.

Introduction

The obesity rate in the United States surpassed 40% between 2017 to 2018,¹ signaling the importance of this epidemic. Obesity is a risk factor for cardiovascular disease, stroke, type 2 diabetes, and certain cancers such as breast cancer.^{2,3} Obesity rates are high among low income individuals and people of color due to disparities in physical activity and dietary behaviors. These disparities in health behaviors are driven by inequities in access to safe and healthy environments, including healthy foods and beverages.³

In California, obesity cost the state's Medicaid program \$1.3 billion in 2013⁴ and contributed to worse health outcomes and reduced quality of life among residents. Among California's 37 million residents, an estimated 25.8% of adults were obese.⁵ Obesity disproportionately affects minoritized racial/ethnic groups in California—about 1 in 3 African Americans (36.1.5%) and Latinos (32.6%), compared with 21.9% whites—are obese.^{3,5}

Consumption of sugar-sweetened beverages (SSBs) is a key contributor to the obesity epidemic,⁶ since these beverages have high sugar content, low satiety,⁷ and are linked to weight gain.³ Studies have found a statistically significant positive association between obesity and: worse dietary behavior, low physical activity, high SSB consumption, and fast-food consumption.^{3,7} In 2010 and 2015, 63% of US and California adults consumed one or more SSBs daily.⁸ Non-Hispanic blacks,⁹ Hispanics, those from low socioeconomic households, and people with less than a high school education consume SSBs most frequently.⁸ Studies suggest that this is due to their living environment and being unable to find affordable fresh fruits and vegetables.³ Addressing these disparities will require removing obstacles to physical activity and increasing access to healthy, affordable fresh foods.

A policy strategy to reduce SSB consumption that has shown success is a SSB tax.¹⁰ In addition to reducing unhealthy behavior, SSB taxes can lower healthcare costs¹¹ and generate revenue for health programs.¹² The type of tax (excise), a legislated tax levied on a per-unit basis or a sales tax (calculated as a percentage of the price paid) determines whether the policy will be effective. Research with tobacco and alcohol taxes has shown that a specific excise tax has a greater impact on consumption and generates more stable revenue.¹³ Excise taxes reduce the demand for taxed products because consumers are usually the ones paying higher prices. A study conducted by Smith et al found that when taxation increases the cost of a product, consumers adjust their choices to diet drinks, bottled water, juice, coffee/tea, or milk.¹⁴

States, including California, have increasingly considered adopting an SSB tax with involvement from a variety of policy actors and coalitions. Many advocacy coalitions have emerged in support of or in opposition to SSB tax policy in California. Advocacy coalitions are defined as groups of actors who share beliefs and coordinate to engage in political strategies and debates to impact policy through legislation or litigation by engaging state legislators, using public opinion polls, and leveraging media resources.¹⁵ At the individual level, key stakeholders who may be involved in a state public health coalition to promote a SSB tax are policymakers, public officials, public health advocates, and researchers.¹⁶ In SSB tax policy debates, there has been considerable opposition from the beverage industry, associations, and stakeholders.^{11,17} Baker et al highlights the effectiveness of a broad-based advocacy coalition to promote a SSB tax in Mexico, which comprised an alliance of local organizations, universities and lobbyists, and drew on technical and financial support from the Pan American Health Organization (PAHO) and Bloomberg Philanthropies.¹⁸ To our knowledge, no study exists that examines the role of advocacy coalitions in statewide SSB tax policy debates in the U.S. SSB taxes have been evaluated and shown to be effective policy strategies to reduce SSB consumption.

Outside of the U.S., countries such as Mexico and Chile have implemented a tax on soft drinks to reduce intake, obesity, and promote healthier diets. An observational study conducted by Colchero et al found that after a year of implementation of the 1-peso-per-liter excise tax on SSB in Mexico the purchase of the taxed beverages declined. All three socioeconomic groups reduced their purchase of taxed beverages; reductions were lower among low-income households.¹⁹ Chile, as one of the largest consumers of SSB in the world, had high levels of SSB intake, particularly among school-aged children.²⁰ In 2014, they passed a tax reform affecting any non-alcoholic beverages to which flavorings or sweeteners have been added. They implemented a 5% tax increase on high sugar soft drinks and a 3% reduction on low-sugar soft drinks.¹⁰ Using a quasi-experimental design, Cuadrado et al found Chile's policy to be effective in the increase of prices and reduced affordability of SSBs. As of August 2020, at least 40 countries introduced a national soda tax.²¹

In the U.S., SSB taxes have been heavily opposed by the beverage industry.^{16, 22} While there has been considerable interest and advocacy activity, to date, only local jurisdictions have been successful in adopting SSB taxes. Domestically, the city of Berkeley, CA became the first U.S. jurisdiction to enact and implement an SSB tax (\$0.01/oz) in 2014. Between 2014 and 2017, excise taxes were enacted by the Navajo Nation and 6 other U.S. cities (Albany, CA; Boulder, CO; Oakland, CA; Philadelphia, PA; San Francisco CA; and Seattle, WA).²² The tax in Berkeley was applicable to soda, energy, sports, fruit-flavored drinks, sweetened water, coffee and tea, and syrup to make SSBs. From July 2014 to 2015, SSB consumption among low-income neighborhoods decreased by 21% in Berkeley, relative to a 4% increase in comparison cities of Oakland and San Francisco, California. Water consumption also increased in Berkeley more than in comparison cities.¹⁰ Somji et al in their case study of Berkeley vs Big Soda found both used social media to connect with communities and frame the policy debate. They also found the American Beverage Association donated millions to fight the tax.²³

The coalitions advocating for and against excise taxes are made up of a broad range of interests and organizations. The composition of advocacy coalitions and their strategies used in the SSB tax debate may be like coalitions involved in other policy debates. Studies on the menu labeling policy debate, tobacco studies²⁴, expanded after school programs, and federal environmental policy have similarly analyzed stakeholders with the Advocacy Coalition Framework (ACF) and have identified two main coalitions, a public health and an industry coalition.^{15, 25, 26, 27} The ACF aims to explain stability and policy change within a policy subsystem.²⁸ One of the cores of the ACF are advocacy coalitions, defined as being composed^{15, 29} of individuals with similar policy belief systems who engage in coordinated activities to promote their position.¹⁵ The ACF understands change in policy to be the result of interaction and competition between coalitions of actors within a particular policy area.

Of note, a strategy that has emerged to prevent local municipalities from enacting SSB taxes are state preemption laws. Preemption occurs when a higher level of government limits the authority of lower levels to enact laws.³⁰ Preemption is increasingly being used in favor of industries to inhibit local governments from meeting community needs through health policy. The beverage industry has attempted to secure state preemption through front groups and trade associations, lobbying key policymakers, inserting preemptive language into other legislation, and issuing legal threats and challenges.³¹ California is a unique state to examine the use of evidence and the roles of advocacy coalitions in the SSB tax debate because in 2018 they enacted a preemption law that prohibit cities from enacting taxes on SSB through 2031.

We leverage the ACF to study the SSB tax policy debate in California. Policies such as SSB taxation have a significant impact on a population's health and health inequalities. However, little is known about the advocacy coalitions involved at the state level and their strategies and arguments used to inform the legislative debate about SSB taxation in California. Using the ACF we can determine the coalitions involved, identify their beliefs and strategies, and understand how preemption occurred in California.

The primary aims of this study are:

Aim 1. to identify organizational and individual leaders and participants in advocacy coalitions involved in California's SSB tax policy debate. Based on the studies examining local SSB tax proposals in California, we hypothesize two advocacy coalitions were involved in SSB tax statewide policy debates, a public health and industry coalition.

Aim 2. to examine strategies employed by these coalitions to advance their position. We hypothesize the strategies used to move forward SSB taxation would include coalition building, media attention, community representation, and the endorsement from a wide range of supporters.

Aim 3. to explore policy arguments used to support and oppose statewide SSB tax legislation. We propose the public health coalition promoted arguments such as focusing on the health effects of SSB consumption that contribute to obesity, whereas the industry coalition used economic arguments.

Methodology

We use a mixed methods study design with a predominantly qualitative approach to identify key stakeholders involved in California's SSB tax debate between 1999 to 2018, explore their expressed beliefs, and analyze their policy arguments.

Conceptual Framework

The ACF is used to identify the formation of coalitions and the alignment of beliefs. It offers a multidisciplinary, cohesive, and holistic approach for analysis of a policy process involving several actors from various organizations and levels of government.³² The belief system comprises common perceptions and value priorities that binds together a group of actors.³³ The ACF comprises three different beliefs: deep core beliefs consist of fundamental beliefs that drive the advocacy coalition's position; policy core beliefs focus on basic strategies and policy positions for achieving deep core beliefs; and secondary beliefs that focus on the administration and implementation of the policy.²⁸

We employ the ACF in this study to identify the stakeholders and membership of the coalitions involved in California's SSB tax debate. We then use the ACF to examine the beliefs, resources used, and strategies employed by these coalitions. We also look at the long-term coalition opportunity structures and the short-term constraints and resources of subsystem actors.

Data Collection

To explore each coalition's expressed beliefs, policy arguments, resources, and strategies, we analyzed legislative documents and newspaper articles produced between 1999 to 2018. A secondary objective was to understand the policy change process during this time and to examine

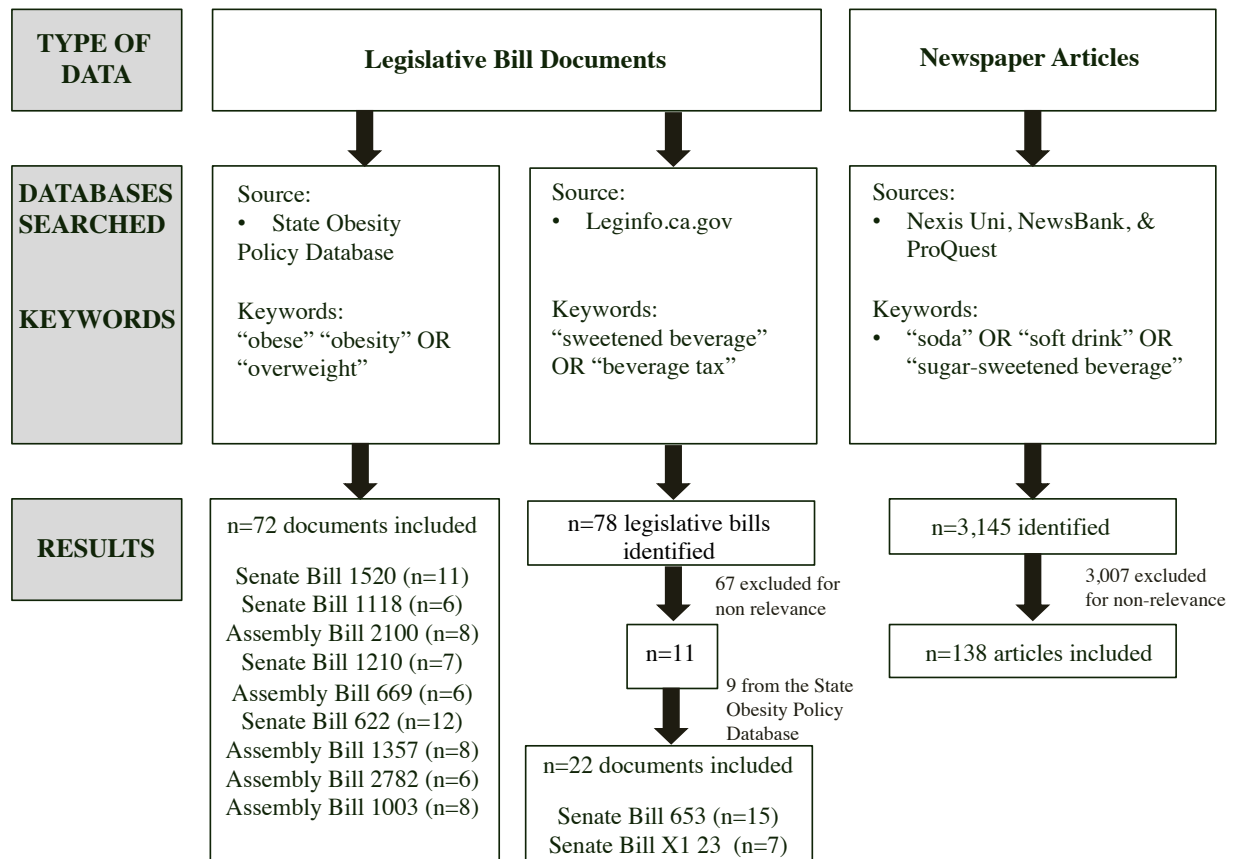
how a preemption law was passed in 2018. Using the ACF we identified the key stakeholders who are involved in the policy subsystem, with a focus on the meso and micro level where the policy networks, policy coalitions, relationship between policy actors, and policy actors are central.^{15, 28}

Data Source 1: State Obesity Policy Database

The first data source consists of a state obesity policy database that includes bills proposing a SSB tax that were introduced in California's legislature between 1999 and 2018. Bills were identified from an obesity policy surveillance project which included developing a state obesity policy database. Obesity prevention and reduction bills in this database were identified by using the state's publicly available legislative website with the search terms "obese" "obesity" or "overweight." Three undergraduate research assistants abstracted key bill information such as the topic, target population, setting, use of research evidence, sponsor information, originating chamber, procedures, funding, behavioral assumptions of policy, and enactment outcome. A total of 9 bills were identified from the obesity policy database that were about SSB tax and were included in our analysis.

To verify and supplement the search for additional SSB tax bills not included in the state obesity database, we searched California's legislative website for bills using the keywords "sweetened beverage" or "beverage tax" introduced between 1999 and 2018. A total of 78 legislative bills were identified in the search, 2 were new bills and were not identified in the obesity policy database, and 67 were excluded due to nonrelevance to the SSB tax and instead focused on an SSB label or alcoholic beverage tax. Figure 1 depicts the search process for the legislative bill documents and the newspaper articles. There was a total of 11 bills identified through the obesity database and the search with a total of 94 documents.

Figure 1. Search process for sugar-sweetened beverage tax legislative bills introduced in California between 1999-2018



Data Source 2: Newspaper Coverage of SSB Tax Policy

The second data source consists of newspaper articles. Newspaper articles were identified using the online archives Nexis Uni, NewsBank, and ProQuest searching for key terms such as “soda” OR “soft drink” OR “sugar-sweetened beverage” to identify articles in newspapers that contained at least one of the words or phrases in the title or text. This process produced an initial sample of 3,145 stories; 3,007 were excluded due to non-relevance. The final sample included a total of 138 articles that focused on California’s SSB tax legislation, were in English, and published between 1999 to 2018. Excluded newspaper articles focused on local SSB tax policies in California, non-tax SSB policies (i.e., warning labels), the increase of diet soda, or were duplicate articles.

Data analysis

Bill data was coded by two undergraduate researchers using an excel database and included a description of the policy type (identifies the type of policy), setting (identifying the target primary setting to address obesity/overweight), target age (age of a population to address/target obesity/overweight), and expenditures (policy instrument allocates funds/proposes spending money to achieve a specific outcome). All legislative documents and newspaper articles were then uploaded into the qualitative data analysis software Atlas.ti for coding and analysis.

A master codebook was developed from our research questions and the components of the ACF (expressed beliefs and arguments). Some of the codes also came from the study conducted by Jou et al that describes the strategic messaging used to promote SSB tax in the El Monte and Richmond campaigns. The messages they found to be most frequently mentioned by respondents who were pro-tax were reinvesting tax revenue into health-related programs and linking SSB consumption to health outcomes such as obesity and diabetes.¹⁶ The most frequently mentioned antitax messages addressed negative economic effects on businesses and government restriction of personal choice.¹⁶

Coding also focused on identifying expressed policy beliefs and advocacy strategies used by stakeholders.¹⁵ The themes in our codebook were codes that included: description of the problem, deep core beliefs, policy core beliefs, secondary beliefs, policy arguments, and type of research evidence. For example, deep core beliefs included codes such as individual failure, industry failure, and government failure. Under the policy core belief theme, the codes were: question the effectiveness of regulation, alternative policies, industry collaboration, discriminatory policy, and anti-tax.

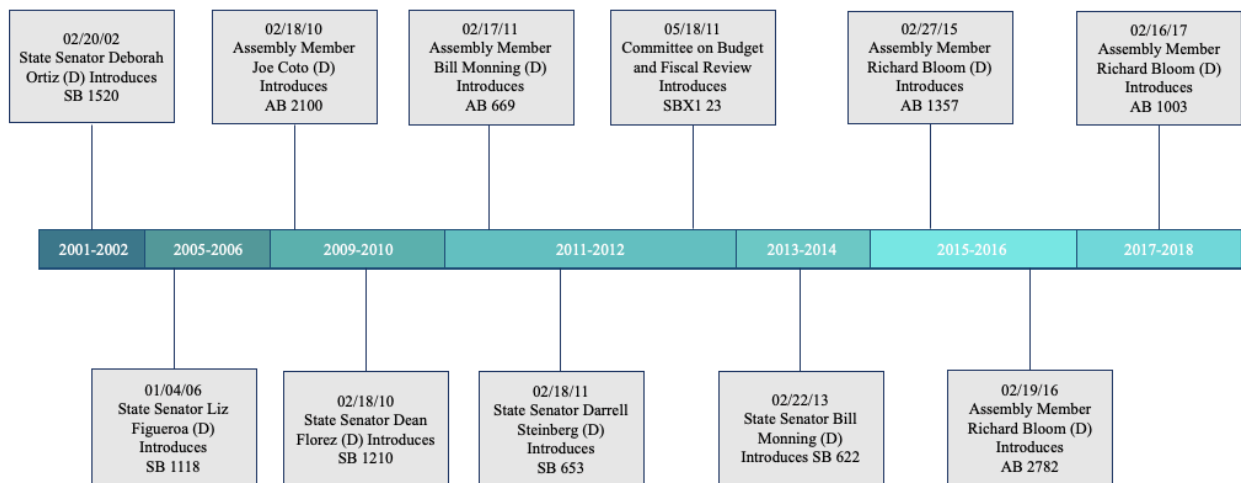
We identified the type of bill, the author(s), the type of research evidence used, policy precedence, and arguments made in support and in opposition to the bill. To keep track of the supporters and opponents in the SSB debate, we tracked the number of times each organization appeared in the bill documents through excel. The codebook was pilot tested on one of each type of legislative document and three newspaper articles before it was finalized and used to code all the content except for the bill's history, status, and votes.

Results

SSB Legislative Timeline and Bill Summary

The search revealed a total of n=11 SSB tax bills introduced during the study period of 1999 and 2018. These bills were associated with 94 legislative documents, which were analyzed as distinct data sources and used to develop a timeline of legislative events (see Figure 2).

Figure 2. Timeline of sugar sweetened beverage tax bills introduced in California between 2001 and 2018



(AB = Assembly Bill; SB=Senate Bill; D=Democratic Party; R=Republican Party)

In 2001, the first bill Senate Bill (SB) 1520 was introduced to impose a surtax upon every distributor, manufacturer, or wholesale dealer at a rate of \$2 per gallon of soft drink syrup or simple syrup and \$0.21 per gallon of bottled soft drinks, and \$0.21 per gallon of soft drink that may be produced from powder, that is sold in this state. It was modified on April 4th, 2002, to prohibit the sale of carbonated beverages to pupils in elementary schools. During the legislative cycles, 2011-2012, the highest number of bills were introduced (3 per year), signaling higher levels of interest in SSB taxes and policy activity. Between 2001 and 2018, eight of the 11 bills (73%) failed to make it out of committee.

All the bills focused on reducing SSB consumption by proposing to tax beverages with added sugar. Tax details for each bill are included in Table 1. All the bills mentioned a specific tax percentage or rate on SSBs. Specifically, two included a tax of \$0.01 per teaspoon of added caloric sweetener, four bills a rate of \$0.01 per fluid ounce, and three a rate of \$0.02 per fluid ounce.

Table 1. Proposed taxes for each Senate or Assembly bill introduced between 2001-2018

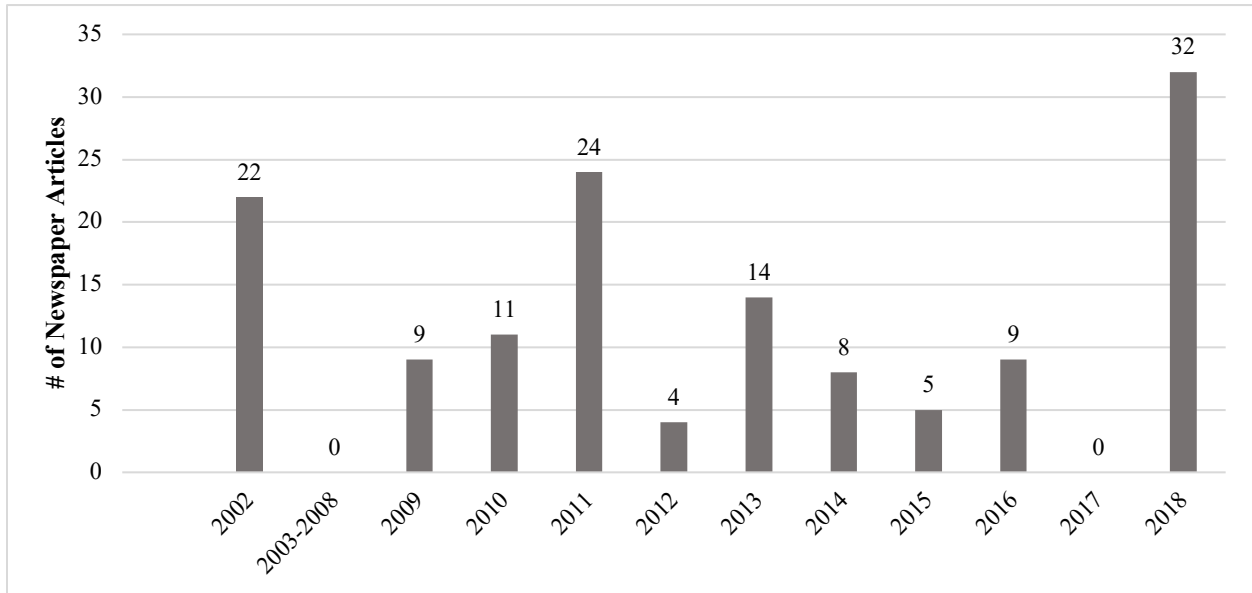
Bill Name/s	Tax % or rate details
Senate Bill (SB) 1520	\$0.21 per gallon of bottled soft drinks and soft drinks produced from powder
SB 1118	2% per carbonated beverage
Assembly Bill (AB) 2100, SB 1210	\$0.01 per teaspoon of added caloric sweetener
AB 669, SB 653, SBX1 23, SB 622	\$0.01 per fluid ounce
AB 1357, AB 2782, AB 1003	\$0.02 per fluid ounce

All bills included strong enforcement language using terms like “shall”, “require”, or “mandate”. All eleven focused on addressing childhood obesity/overweight in a school or an early childcare facility setting. Six bills (55 %) designated the SSB tax to go toward a new fund to target obesity among children through prevention activities and programs. Eight of the eleven identified the same entity, the California Board of Equalization, as being responsible for administering and collecting the fee, if the bill were adopted. Nine of the bills also included a secondary policy in addition to the proposed tax, which consisted of establishing or modifying an existing advisory group (e.g., commission, committee, council, task force) to address obesity.

Media Attention

Starting in 2002, the state’s SSB tax policy debate began to receive media attention with 22 newspaper articles focused on the issue published that year (see Figure 3). Between 2002 and 2018, a total of 128 newspaper articles were published that mentioned California’s SSB tax debate with an average of 12 articles per year (maximum: 32 articles in 2018 when preemption bill AB 1838 was enacted). In 2011, when three SSB tax bills were proposed, 24 articles were published.

Figure 3. Newspaper articles featuring California’s sugar sweetened beverage legislative tax bills, 2002–2018 (n = 138)



SSB Tax Advocacy Coalitions: Participants, Leaders, and Composition

Consistent with the hypothesis for Aim 1, we identified two coalitions, a public health coalition and an industry coalition, were involved in California’s SSB tax policy debate between 2002 and 2018.

Individual coalition leaders consisted of elected officials who introduced the bill such as Assembly Member Bill Monning (D) who served the 17th district (encompasses the Central Coast) and introduced the most (three) SSB bills. Assembly Member Richard Bloom (D) who served the 50th district (encompasses West Los Angeles, Beverly Hills, Agoura Hills, Malibu, Topanga, Pacific Palisades, Bel Air, Brentwood, Santa Monica, Beverly Hills, West Hollywood, Hancock Park, and Hollywood), introduced two SSB bills, in the case of the public health coalition.

The number of core organizational leaders differed between coalitions. We define core organizational leaders as organizations who either: (1) sponsored or cosponsored at minimum two bills or (2) visibly supported or opposed an SSB statewide tax in legislative documents in at least five of the eleven bills identified. Using this definition, we identified 12 organizations who were organizational leaders for the public health coalition and ten organizations who were organizational leaders of the industry coalition. See Table 2 for a list of the organizations who met the criteria.

Table 2. Organizations who met the Core Organizational Leader Criteria

Criteria	Description	Organizations
	Sponsored two bills and cosponsored one bill	<ul style="list-style-type: none"> Public Health Advocates (formerly the California Center for Public Health Advocacy)

Sponsored or cosponsored at least two of the eleven bills	Cosponsored three bills	<ul style="list-style-type: none"> American Heart Association Latino Coalition for a Healthy California California Dental Association
	Cosponsored two bills	<ul style="list-style-type: none"> American Diabetes Association California Black Health Network Public Health Institute Roots of Change
Visibly supported an SSB statewide tax in legislative documents for at least five of the eleven bills identified	Supported six or more bills	<ul style="list-style-type: none"> American Federation of State, County, Municipal Employees, State Council (7) California Primary Care Association (6)
	Supported five bills	<ul style="list-style-type: none"> California Food Policy Advocates Center for Science in the Public Interest
Visibly opposed an SSB statewide tax in legislative documents for at least five of the eleven bills identified	Opposed nine or more bills	<ul style="list-style-type: none"> California Grocers Association California Retailers Association California Restaurant Association
	Opposed eight bills	<ul style="list-style-type: none"> California Chamber of Commerce California Manufacturers & Technology Association
	Opposed six bills	<ul style="list-style-type: none"> California Automatic Vendors Council California Nevada Soft Drink Association California Taxpayers Association
	Opposed five bills	<ul style="list-style-type: none"> Grocery Manufacturers Association Howard Jarvis Taxpayers Association

Figure 4. Number of organizations in each advocacy coalition by SSB tax bill and year in California (2002-2017)

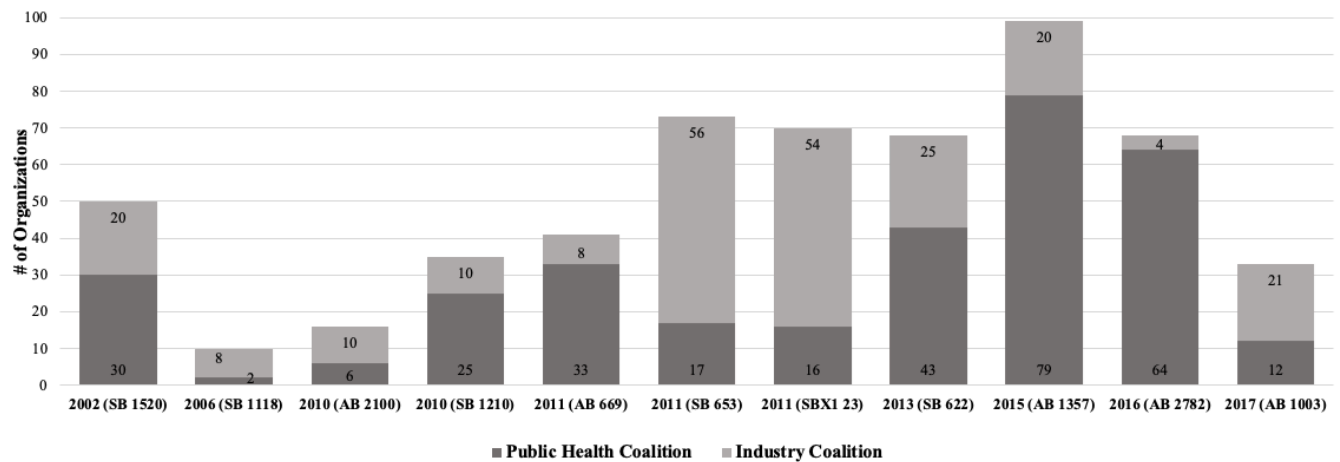


Figure 4 shows the number of organizations that supported or opposed each SSB bill between 2002 to 2017. On average, 30 public health organizations supported a SSB bill each year compared to 21 organizations in the industry coalition. In terms of coalition size, the public health coalition began with 30 organizations signed on to support SB 1520 in 2002 and the industry coalition had 20 organizations. Between 2002 and 2015, the public health coalition more than doubled in size to 79 organizations while the industry coalition remained about the same size, with fluctuations and greater participation by members in 2011.

From 2002 to 2006, there was a steep drop-off in participation which may have occurred because SB 1118 was originally introduced with the intent to provide affordable health care insurance to all uninsured children in California. It included a funding mechanism to pay for the expansion. On April 17th, 2006, SB 1118 was modified to propose a tax of 2% on the sale of a carbonated beverage to create the Children’s Health Insurance Fund.

In 2011, there may have been a significant increase in participation by industry group members who were against SB 653 and SBX1 23 because these bills did not specify a tax amount. They would also levy, increase, or extend a: local personal income tax, transaction tax, vehicle license fee, alcoholic beverages tax, cigarette and tobacco products tax, sweetened beverage tax, and an oil severance tax.

According to newspaper data, a prominent organization who had opposed SSB taxes, the National Hispanic Medical Association, dropped its alliance with the beverage industry in the year 2010. That same year, the state affiliate of the League of United Latin American Citizens, an organization whose mission is to advance the civil rights of Hispanic Americans, considered a resolution urging its national assembly to defect from the industry coalition.³⁴

Industry Coalition Advocacy Strategies: Preemption, Alliances, and Financial Resources

According to newspaper articles, the industry coalition primarily used *preemption* as a strategy to oppose an SSB tax instrument. In 2018, AB 1838 was enacted which imposed a 12-year ban on local soda taxes. Specifically, the preemption bill prohibited the imposition, increase, levy and collection, or enforcement by a local agency of any tax, fee, or other assessment on groceries until January 1st, 2031, allowing for the continuance of local taxes or fees enacted before 2018. In the bill, groceries were defined as any raw or processed food or

beverage including its packaging, wrapper or container, or any ingredient thereof, intended for human consumption.³⁵

A quid pro quo may have been the basis for the passage of AB 1838, and it was reported that beverage industry representatives offered to withdraw a ballot initiative in exchange for lawmakers' support of AB 1838.³⁶⁻⁴⁰ The ballot initiative would have required cities and counties to obtain a supermajority (two-thirds)³⁷ approval from voters to raise any new taxes, making it difficult to enact new taxes and raise revenue for a variety of projects.^{38, 41} The Service Employee International Union (SEIU) partnered with American Beverage Association to gather signatures to get the act on the November ballot.^{38, 42} An article in the *Sacramento Bee* also mentioned a dinner meeting between Governor Jerry Brown (D) and beverage industry representatives:

Both the governor and the American Beverage Association said the dinner had nothing to do with the proposed soda tax ban, though they declined to answer questions about what they discussed. But public health advocates, who have successfully pushed for taxes on sugary drinks in a small but growing number of California cities, decried the meeting as evidence of soda companies' undue influence at the Capitol and the proposed ban as a "sweetheart deal" to protect their profits.⁴³

There are no specific records of the conversation, however, and both the governor and beverage industry representatives denied speaking about the preemption bill.⁴³

The industry coalition mentions there are other effective ways to reduce long term sugar consumption and partner with public health advocates to find solutions that do not harm businesses. In 2014 the American Beverage Association, top beverage companies (Coca-Cola, Dr. Pepper Snapple Group and PepsiCo), and the Alliance for a Healthier Generation (funded by the American Heart Association and the Clinton Foundation) created an agreement to improve access to lower-calorie beverages.⁴⁴ The agreement was created as an effort from the Beverage Calories Initiative to reduce sugar and calories consumed from beverages nationally by 20 percent by 2025.⁴⁵

The industry coalition also leveraged financial resources to promote their opposition to an SSB tax. A 2018 *Oakland Post* article mentioned the role of financial resources as contributing to policymakers' votes for AB 1838: "[State legislators] reluctantly voted to impose the moratorium because the ballot measure, for which signatures were gathered by a political campaign financed by more than \$7 million from the beverage industry."⁴⁶ In a report conducted by California Healthline, in 2017 and 2018 the soft drink industry spent \$11.8 million statewide on political campaigns, lobbying lawmakers, and donating to charities in lawmakers' names.⁴⁷

Public Health Coalition Advocacy Strategies: Media and Research Evidence

Public health coalition leaders primarily used the media to communicate and promote support for SSB taxes. One strategy employed was a field poll sponsored by the California Endowment. The 2010 poll conducted by the California Center for Public Health Advocacy found 56% of California voters supported a soda tax.⁴⁸

Public health coalition leaders also referenced research evidence, like statistics and epidemiological data on the severity of the obesity epidemic, to justify the creation of a new tax. An often mentioned study published by the UCLA Center for Health Policy Research in 2005 with funding from the California Center for Public Health Advocacy, found that, although the

percentage of children under the age of 12 who drink at least one SSB per day dropped between 2005 and 2012, SSB consumption increased among adolescents.⁴⁹

Public health advocates referred to local SSB taxes in California and elsewhere (Berkeley, Oakland, San Francisco, and Albany) and the effectiveness of Berkeley's policy in reducing soda consumption and other sugary drinks by a 9.6 percent drop in the first year after implementation.¹⁴ Public health advocates frequently referred to the tobacco tax debate as an example of how a tax could decrease purchase of a targeted product (e.g., tobacco products), reduce smoking rates, and create revenue for prevention programs. An SSB tax was said to replicate the public health success of tobacco control and serve as a source of revenue to curb the obesity epidemic.

Industry Coalition Arguments: Individual Rights, Multicause, Negative Economic Impact, and Impact the Disadvantage

Opponents of SSB taxes frequently argued that individual choices and lack of physical activity were the cause of obesity and not sugary beverage products. Their arguments communicated the belief that people have the right and responsibility to choose their own diet. Parents were specifically mentioned as the individuals who should be held responsible for the SSB access and dietary behavior of children. For example, Assembly member Diane Harkey (R) questioned whether the bill would change people's eating habits, "I think parents need to step up and they're just not. I think we need to get parents back involved rather than trying to limit consumption through a tax."⁵⁰

Opponents frequently said a SSB tax unfairly singled out soft drinks when multiple factors contributed to the non-communicable chronic conditions, including a lack of physical activity and other food products. In the bill analysis for AB 1357, Californians for Food and Beverage Choice stated,

...singling out one group of products is discriminatory and will not reduce obesity or diabetes. Obesity and diabetes are complex health issues that have myriad contributing factors including genetics, physical activity, and calorie intake from all sources – not just beverages. As a result, it is unfair and inaccurate to portray SSBs as the main culprit. It needs to be made clear that obesity and related diseases, like diabetes, have multiple risk factors, including diet, genetics, age, and stress.

Opponents also argued a tax would be an economic burden, resulting in increased prices. The distributors of SSB operate were said to operate at a very small profit margin, therefore this bill would have a negative impact on profits and overall operations, potentially leading to lost jobs and business closures, especially for small retail businesses.

Lastly, the industry claimed taxation would disproportionately penalize disadvantaged and low-income communities. A spokesperson from the American Beverage Association said to the *San Francisco Examiner* in a statement, "Our aim is to help working families by preventing unfair increases to their grocery bills."⁵¹ By taxing the product distributors would pass the tax on consumers in the form of higher taxes.

Public Health Coalition Arguments: Health Effects, Disproportionate Impact on Marginalized Communities, Source of Revenue, and Industry Failure

Public health advocates often mentioned the health consequences of excess consumption of SSBs, such as obesity, diabetes, and dental diseases, when arguing in favor of an SSB tax. An article published by *The Berkeley Voice* in 2018 they said:

There is clear and compelling body of evidence [that] now shows a strong relationship between consumption of sugary drinks and chronic diseases such as type 2 diabetes, obesity, and heart, liver, and dental diseases. In fact, every year, 40,000 deaths in the U.S. are attributed to heart problems caused specifically by consuming too many sugary beverages.⁵²

Another article published in 2015 by *Santa Cruz Sentinel*, a public health coalition leader, State Senator Bill Monning (D) said, “We see a lot of the data that shows the adverse consequences of sugar-sweetened beverages, but what's notable is (the study) goes straight to the correlation between a sugar-sweetened beverage tax, and consumption and better health outcomes.”⁵³

Public health advocates expressed concern about the disproportionate impact of SSB consumption on marginalized individuals, including those who were low-income, African American, and Latino, who were more likely to live in unhealthy environments. San Joaquin County Public Health Services Director Bill Mitchell said,

County adolescents may drink more soda than their peers in other counties for social reasons. Education and poverty play a part. You have children living in areas where they don't have access to health-food stores and may not have access to information to teach them healthier eating habits.⁵⁴

Newspaper articles and the legislative documents presented arguments by public health coalition leaders and members describing how the SSB tax could create a critical source of revenue for programs to prevent and reduce obesity and diabetes. These programs and interventions were designed to use environment, policy, and system change, education, and public health approaches. They would improve consumption and access to healthy foods, reduce consumption of calorie dense food and beverages, increase physical activity, health literacy, and access to primary care. This perspective reflected a belief that providing health programs around SSB consumption would lower the rates of chronic diseases.

The tax was also said to potentially reduce the amount of spending in the healthcare system on obesity related expenses by decreasing the amount of SSB being purchased and consumed and lead to the decline in chronic diseases. Senator Bill Monning (D) stated,

We cannot afford to sit back while the childhood obesity crisis overwhelms our healthcare system and shortens our children's lives. The public is already paying for costs associated with unhealthy lifestyles and a major contributor to this is the increased consumption of sweetened beverages. A tax on sugary drinks will help to address this growing problem and can be a valuable tool in a broader public health campaign.⁵⁵

Public health advocates pointed to the beverage industry and unhealthy food environment for their contributions to the obesity crisis. For example, Harold Goldstein, the Executive Director of the Public Health Advocates said that,

... [the beverage industry] defend themselves by increasing their giveaways to community programs, buying full-page ads that celebrate their hypocritical call for moderate consumption and spending \$500 million a year to market to our kids. No other food category in the nation so aggressively markets to children, and yet the soda giants continue to tell us they are champions for health.⁵⁶

Discussion

The results of this descriptive study are an initial step toward understanding the statewide SSB tax debate in California and the critical role of advocacy coalitions who were key players in the policymaking process. California's experience provides numerous lessons for public health advocates and decision makers to consider for future SSB tax. California's SSB tax debate demonstrates the active role public health nonprofit organizations can play over a 19-year period in the state policymaking process, as well as coalitions' use of strategies. The enactment of the preemption policy at the state may have been associated with the industry coalition's resources, such as media attention, funds, and engagement with elected officials.

Using the ACF to analyze policy change should occur with data from at least a decade to capture overall changes and to highlight the role and impact of specific actors. Using the ACF, we found two advocacy coalitions emerged in California's SSB tax debate during the nineteen-year period, an industry coalition, and a public health coalition. These two coalitions were also identified in California's menu labeling debate¹⁵ as well as tobacco debates.²⁴ The composition of the industry coalition in the SSB tax debate included the California Automatic Vendors Council, California Chamber of Commerce, and California Grocers Association, while the public health coalition included elected officials, associations, and nonprofit organizations. Relationships between organizations and elected officials are key toward advancing policy in the state health policymaking process.

The ACF posits that coalitions use resources to influence the policymaking process. In the case of the public health coalition in California's SSB tax policy debate, the strategies they used were related to communication, namely focused on conveying public opinion and scientific information. The literature suggests that using research evidence-based arguments on policy effectiveness, feasibility, and implementation may increase the likelihood of success of a policy.²⁹ However, in this specific debate, while public health advocates often cited policy effectiveness research from local SSB taxes such as from Berkeley, California, this strategy was ultimately not effective to enact a statewide tax.

The industry coalition used preemption, alliances, and financial resources to advance their policy position against an SSB tax in California. Findings reveal how the industry coalition, led by the beverage industry, successfully supported the enactment of a preemption bill to stop efforts to promote a statewide SSB tax and to establish a moratorium on any new local SSB taxes through 2031. Some state legislatures are increasingly using preemption to limit local authority and prevent local policies that can improve health and equity.⁵⁷ Since 2017, states such as Arizona, Michigan, and Washington have passed laws preempting local SSB tax policies.²² Crosbie et al report California and Washington were the only two states who previously retained a soda tax. Following the statewide preemption, localities in California, including Santa Cruz,

Davis, and Marin County, withdrew their ballot initiatives for an SSB tax.⁵⁸ At the local level we have also seen preemption in the tobacco, firearms, and alcohol debates. While circumstances will vary from state to state, these lessons from California can serve as valuable information for advocates as they strategize a plan to pursue equitable nutrition policies.

The ACF mentions coalitions ability to translate their beliefs into actual policy determines the success of these coalitions.⁵⁹ The fundamental beliefs that drove the public health coalition's policy position included highlighting the failure of industry to offer healthier products and the link between chronic diseases and SSB consumption. Previous research has shown that clearly defining SSB, dedicating the tax revenue for health related programs, incorporating culturally sensitive messaging, and providing education about the link between SSB consumption and poor health outcomes are associated with protax messaging success, while antitax messages addressed government restriction of person choice and negative economic effects on businesses.¹⁶ While SSB tax bills in California dedicated the tax revenue for health related programs, clearly defined SSBs, and led with arguments linking SSB consumption to chronic health conditions, they remained unsuccessful. This may be due to not leading with culturally sensitive messaging despite having a diverse population.

The industry coalition's fundamental beliefs and arguments focused on individual rights, their perception of the causes of chronic diseases, the potential burden of a tax, and how taxation would penalize the disadvantage communities. Public health advocates mentioned beverage companies often obscure the real focus of the SSB tax laws by framing them as in opposition to "grocery" taxes.⁶⁰ The industry claimed the tax on SSB would increase the cost of other food products to offset the cost of soda. This frame can be seen as a scare tactic to increase concern from low income and communities of color about the tax and its impact on their ability to purchase food for their families.⁶¹ Advocates should elevate the role of classism and racism in sugary drink targeted marketing.⁶¹

Study Limitations

Study limitations include use of data sources that may have lacked information on policy beliefs, an important ACF construct. Although we reported on the arguments, not all arguments identified reflected policy beliefs, which can be due to the data. Additional data sources (i.e., alternative news sources like blogs or social media⁶² or primary data collection with key stakeholders) may have provided further information about policy strategies or arguments used to advance specific policy positions in California's SSB tax debate. Further, this study did not evaluate all the components of the ACF such as the relatively stable parameters and external subsystem events.

Another limitation is the generalizability of the results. Findings on advocacy coalitions involved in California's SSB tax debate may not be generalizable to other states or policy debates due to several reasons. For example, the organizations involved in California's debate might not be involved in debates in other states.

Policy/Research Implications

The findings from this research have implications for practice, as California's experience with SSB taxation policies provides several lessons useful for policymakers and advocates in public health policymaking for future tax efforts. It is important to understand the composition and activities of advocacy coalitions involved in state policy debates as well as the use of evidence to promote or oppose SSB tax legislation. Future research should focus on conducting

interviews with advocacy coalition leaders and members to gather data on potentially important dimensions of the debate, such as harmful substitution and the appropriate use of revenues,⁶³ and to gather data on less publicly visible advocacy strategies. Collecting primary data directly from members of California's advocacy coalitions may also provide information on the perceived influence and role of research evidence in policy decisions. The policy advocates play an important role in shaping the course of how a problem is perceived and how solutions are developed. Understanding how policymakers at the state level involve a community, how they develop their messages, and the evidence they use to further legislation is important for future SSB tax advocacy.

Having insightful knowledge of what has and has not worked in prior SSB tax debates can improve future legislation within and outside of California. Examples of success can provide opportunities for imitation; instances of failure can pave the way for innovative policies to achieve passage sooner than others.⁶⁴ Researchers interested in this area can use the ACF and other theories to analyze public health-related legislation at the local level in California and elsewhere in the U.S. Analyzing the experiences of previous SSB tax policy debates can provide lessons for shaping future policy in reducing SSB consumption.

Conclusion

California's failed attempts to pass successful legislation on SSB taxes present an opportunity to identify the factors associated with the failure of the proposed tax, the advocacy coalitions involved in opposing and supporting, and to examine the strategies and evidence these stakeholders are using. The ACF has been used before to examine advocacy coalitions involved in the menu labeling and tobacco debate;¹⁵ however, to our knowledge it has not been applied to SSB tax policy at the state level. Public health advocates have a substantial role in proactively working to prevent preemption concurrent with health policy activity and using additional strategies successfully used in tobacco control to stop preemption diffusion.³¹ This study uses a mixed methods analysis with a predominantly qualitative approach to learn about advocacy coalitions, arguments and the evidence they use to support their policy positions at the state level.

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